

Application Serial No.: 10/632,003
Attorney Docket No.: 0260256

REMARKS

This is in response to the *Final* Office Action of December 9, 2010, where the Examiner has rejected claims 48-50, 52-58, 60-67 and 69-73. By the present amendment, applicant has cancelled claims 48-73, and added new claims 74-95. After the present amendment, claims 74-95 will be pending in the present application. In view of the following remarks, applicant respectfully requests an early notice of allowance for claims 74-95.

A. Rejection of Claims 48-50, 52-58, 60-67 and 69-73 under 35 USC § 103(a)

The Examiner has rejected claims 48-50, 52-58, 60-67 and 69-73, under 35 USC § 103(a).

By the present amendment, applicant has cancelled claims 48-50, 52-58, 60-67 and 69-73. Accordingly, applicant respectfully submits that the Examiner's rejection of claims 48-50, 52-58, 60-67 and 69-73 has been rendered moot.

B. New Claims 74-95

By the present amendment, applicant has added new independent claims 74, 79, 84 and 90, and their respective dependent claims 75-78, 80-83, 85-89 and 91-95.

Independent method claim 74 recites "A method of presenting media assets by a remote server to a user device, the media assets including a first media asset and a second media asset," where the method comprises:

receiving a request for delivering a web page content to the user device having a processor and a memory;

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determining whether the first media asset resides in the memory of the user device, in response to the receiving of the request;

if the determining determines that the first media asset resides in the memory of the user device, presenting the first media asset residing in the memory of the user device as part of presenting the web page content;

if the determining determines that the first media asset does not reside in the memory of the user device, presenting the second media asset residing in the memory of the user device as part of presenting web page content as a substitute for the presenting of the first media asset as part of presenting the web page content, wherein the second media asset requires a lower network bandwidth for delivery to the user device than the first media asset.

It is respectfully submitted that new independent claim 74 is at least supported by the following Paragraphs in the written description of the present application:

[0063] The producer can enter alternative low-bandwidth media assets and corresponding textual information, which can then be combined in the backend with the information on the rich media assets to produce two different versions of the page (one for users that for whatever reason have not been able to download the large assets and one for the rich media assets). Users may not be able to download the rich media assets for a number of reasons, such as (1) incompatible system (2) their systems haven't been online to receive the downloads (3) they haven't paid for a premium service (4) they have insufficient disk space (5) they have been using the computer and didn't want it's resources used for downloading. As such, the ability to deliver an alternative experience in either case is important.

[0067] In addition, a content provider can optimize the user experience based on the assets at hand. For instance, a news related web site may provide a photo of a news story if no rich media asset is available, however if a video asset is stored locally, the web page may substitute the video in place of the image on the web page. This may include the corresponding textual "copy" of the video, as the video and image may not be of the same story and thus would require different supporting text and captions. In one embodiment this is accomplished by having the server-side application detect the presence of the asset via it's corresponding asset token (see asset lists attributes above). Depending on whether or not the token is present a different page is created for the end user. In another embodiment this is done on the client side via scripting in the web

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browser. That is, by using scripting in the web page a different page is created via dynamic HTML based on the existence of the media assets token.

[0101] The client asset manager process 24 an application that can run on the user device 20 to provide downloading and caching. Users would be able to opt-in, possibly through the content provider website, for obtaining the client manager/process. As an exemplary embodiment, the client manager could be installed to startup automatically and be running in the background.

[0102] FIG. 2 displays another overview of the flow of information for the system 100 where the client asset manager process 102 is running on a user device. In an exemplary depiction, a client asset list 110 (e.g., an XML file) is periodically downloaded from a content provider 120, and assets 130 listed in that file are downloaded from the remote site/content provider 140 and cached accordingly. The user may navigate to a web page that can display a asset(s), by including a script 150 that communicates with the client manager process 160. Since the client manager process 102 could also be an ActiveX Server, only a proxy object could be running on the web page 180, and the actual control could be part of the client manager process 102. In an alternative aspect, the client process 160 could be embedded in the web page 180 or part of the client manager process 102.

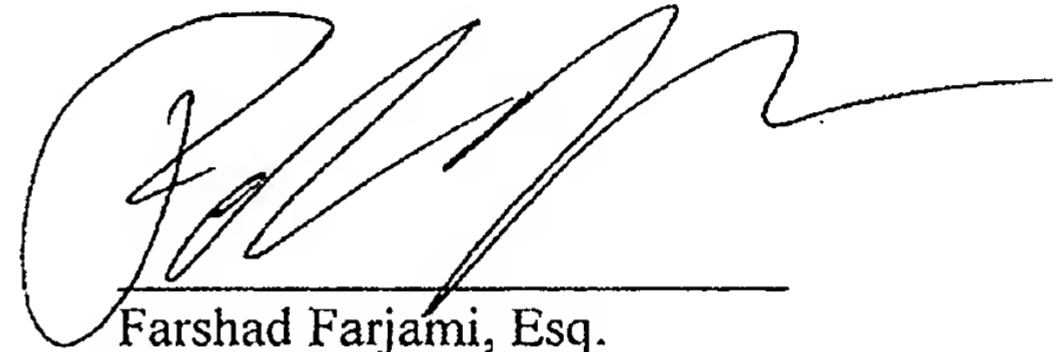
Applicant respectfully submits that the cited references fail to disclose, teach or suggest the limitations of new independent claim 74. Further, new independent claims 79, 84 and 90 include certain limitations similar to those of claim 74. Therefore, independent claims 74, 79, 84 and 90, and their respective dependent claims 75-78, 80-83, 85-89 and 91-95, should be allowed.

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C. Conclusion

Based on the foregoing reasons, an early Notice of Allowance directed to all claims 74-95 pending in the present application is respectfully requested.

Respectfully Submitted,
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